UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

In re: **Case No. 8:15-bk-06322-CED**
Chapter 13

Philip William Decker

Debtor
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OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN

COMES NOW, U.S. Bank National Association, as Trustee for Lehman XS Trust Mortgage Pass-Through Certificates, Series 2005-5N ("Claimant"), by and through its undersigned attorney, and pursuant to Fed. R. Bankr. P. 3015(f) and hereby objects to the confirmation of Debtor's Chapter 13 Plan ("Plan"). In support of its objection Claimant states as follows:

1. Claimant holds a security interest in Debtor's real property by virtue of a Mortgage recorded in Official Records Book 02048 at Page 2988-3012 of the Public Records of Manatee County, Florida on August 12, 2005. The subject property is commonly described as ***3316 61st Terrace East, Ellenton, Florida 34222***. The legal description is as follows:

> **LOT 4, OAKLEY PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 42, PAGES 46 THROUGH 56, INCLUSIVE, OF THE PUBLIC RECORDS OF MANATEE COUNTY, FLORIDA.**

2. As a Secured Creditor, Claimant is a party in interest which may object to the Plan.

3. The subject loan has been in default since December 01, 2010.

4. Secured Creditor intends to timely file its Proof of Claim prior to the claims bar date of October 26, 2015, showing the total secured claim owed to Secured Creditor of approximately $334,421.57 including a secured arrearage amount of approximately $100,868.09.

5. Debtor’s Chapter 13 plan [D.E. 15] proposes that Claimant be paid through the Plan. Debtor’s Plan seeks to pay the crammed down sum of $176,000.00 over 60 months, with payments to be determined.

6. Claimaint objects to the valuation of $176,000.00 of the subject property and Debtor has not provided supporting documents to show how Debtor arrived at its valuation amount.

7. The Plan fails to comply with 11 U.S.C. §§1322 and 1325, as it inadequately provides for the Secured Claim.

WHEREFORE, Claimant request that this Court:

A. Deny confirmation of Debtor’s Proposed Chapter 13 Plan; or

B. Order such and other relief as the Court may deem just.

Respectfully Submitted,

By: /s/ ReShaundra M. Suggs
ReShaundra M. Suggs, Esq.
Florida Bar No.: 77094
500 South Australian Avenue, Suite 730
West Palm Beach, FL 33401

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 10, 2015, I served the foregoing document by U.S. Mail or CM/ECF, upon the following parties in interest as further indicated below:

Melody D Genson, Esq.,
Melody D Genson, PA
2750 Ringling Blvd., Suite 3
Sarasota, FL 34237
(Via CM/ECF)

Kelly Remick, Trustee
Chapter 13 Standing Trustee
Post Office Box 6099
Sun City, FL 33571
(Via CM/ECF)

U.S. Trustee
United States Trustee - TPA7/13, 7
Timberlake Annex, Suite 1200
501 E Polk Street
Tampa, FL 33602
(Via CM/ECF)

Philip William Decker
7016 40th Court East
Ellenton, FL 34222
(Via U.S Mail)

/s/ ReShaundra M Suggs________
ReShaundra M Suggs, Esq.
CLARFIELD, OKON, SALOMONE & PINCUS, P.L